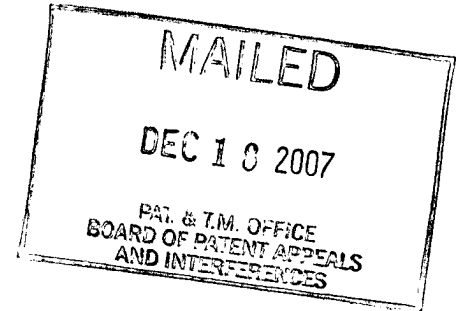


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAYSHREE SETH,
RONALD W. AUSEN,
AND KIM C. SACHS

Application No. 10/686,123



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on December 6, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

On November 17, 2006, appellants filed an amendment after final. A review of the record indicates that the Examiner entered an Advisory Action mailed on December 8, 2006, which stated "The request for reconsideration has been considered but does not place the application in condition for allowance . . ." However, the examiner wrote the statement "Do Not Enter"


on the amendment itself. The examiner shall notify the appellants, in writing, of whether or not the amendment filed December 8, 2006 is or is not entered.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for clarification of whether there is to be entry of the amendment filed December 8, 2006, and for notification to appellants in writing of the action taken; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
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